

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Police – APAT – O.A.No.7391/2010 filed by Sri A. Vishnuvardhan Reddy, ARPC 1669 of AR, Nalgonda against the modified punishment of “RTSP to the minimum with effect on future increments and pension – Orders – Issued.

HOME (SER-II) DEPARTMENT

G.O.Rt.No. 483

dated: 2-4-2011

Read the following:

1. G.O.Ms.No.247, Home (Ser.II) Department, dated: 7-2-2006
2. From the DGP, AP, Hyderabad, Lr.Rc.No.451/Appeal-1/ 2011, dated:15-2-2011.

ORDER:

In the G.O 1st read above, Government have issued orders modifying the punishment of “Removal from Service” imposed on Sri A. Vishnuvardhan Reddy, ExPC 1669 of AR Nalgonda to that of RTSP to minimum with effect on future increments and pension by reinstating him into service on mercy grounds without eligible to claim any arrears.

2. In the reference 2nd read above, the Director General of Police, AP, Hyderabad, has stated that consequent to the orders in the reference 1st read above, the said PC 1669 was reinstated into service and he reported for duty on 2-3-2006 FN. As per the G.O., the pay of the PC 1669 was fixed at the minimum in the Time Scale applicable to him and he is still being paid the minimum pay in Revised Pay Scales, 2010. The said PC 1669 Sri A. Vishnuvardhan Reddy, has filed an O.A. vide No. 7391/2010, stating that his annual increments were not released from 2007 onwards and contended that there is no rule to withhold his increments for ever. The Government Pleader for Home, APAT, Hyderabad asked the SP, Nalgonda District to seek a clarification on the period of modified punishment for filing a counter affidavit in the Hon’ble Court. The DGP, AP, Hyderabad, has stated that it is presumed that the penalty imposed by the Government is as per Rule-9 (vii) (b) of the APCS (CC&A) Rules, 1991 and as such the contentions of the applicant in the O.A. are wholly untenable. He has therefore requested the Government to confirm the above presumption so that a counter affidavit can be filed by the SP, Nalgonda accordingly on behalf of the Department.

3. It is observed that since the penalty is RTSP to minimum stage, it may be presumed that the penalty is reducing to a lower stage in the same time scale of pay as per Rule 9 (vii) (a). As such the period has to be specified.

4. Therefore, Government, in continuation to the orders issued in the reference 1st read above, hereby specify that the period of penalty (RTSP to minimum with effect on future increments and pension without any arrears) is four years.

6. The Director General of Police, Andhra Pradesh, Hyderabad, is requested to take necessary accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P.GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Director General of Police, AP, Hyderabad
The SP, Nalgonda District, Nalgonda,
Sc/Sf

// FORWARDED : : BY ORDER //

SECTION OFFICER